

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

GOOD RIVER FARM, LP,

Plaintiff,

v.

MARTIN MARIETTA MATERIALS, INC.,  
and TXI OPERATIONS, LP,

Defendants.

§  
§  
§  
§  
§  
§  
§  
§

1:17-CV-1117-RP

**ORDER**

After a three-day jury trial, the jury in this case returned a verdict in favor of Plaintiff Good River Farm, LP (“Good River”), on August 24, 2022. (Verdict, Dkt. 135). The jury determined that Defendants Martin Marietta Materials, Inc., and TXI Operations, LP, (together, “Defendants”), diverted or impounded the natural flow of surface waters in a manner that proximately caused damage to Good River’s property and that Defendants’ negligence proximately caused the injury to Good River’s property on or around October 30, 2015. (*Id.*). The jury did not find that Defendants intentionally or negligently created a private nuisance.

Based on its affirmative answers, the jury awarded Good River \$659,882.00 in damages.

Finding nothing left to resolve, the Court renders this final judgment pursuant to Federal Rule of Civil Procedure 58.

**IT IS ORDERED** that judgment is entered in favor of Good River.

**IT IS FURTHER ORDERED** that Good River is **AWARDED** \$659,882.00 in damages.

**IT IS FURTHER ORDERED** that Good River shall file any motion for reasonable attorneys’ fees and a bill of costs, with supporting documentation, no later than **September 8, 2022**, pursuant to Local Rules CV-7(j)(1) and CV-54(a).

**IT IS FURTHER ORDERED** that any relief requested by any party not expressly granted is **DENIED**.

**IT IS FINALLY ORDERED** that this action is **CLOSED**.

**SIGNED** on August 24, 2022.

A handwritten signature in blue ink, appearing to read "R. Pitman", is written above a horizontal line.

ROBERT PITMAN  
UNITED STATES DISTRICT JUDGE